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Atty. Dkt. No.: 2493

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of
Douglas CLAFFEY et al.

Appln. No.: 09/332,760

Filed: June 14, 1999

Group Art Unit: 2123

Conf. No.: 3302

Examiner: H. Jones

Title: *Method And Apparatus For
Determining Obscuration Of
Sensors That Are Mounted On
A Spacecraft*

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JUL 21 2004

Technology Center 2100

TRANSMITTAL LETTER

M/S Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed please find the following:

1. Brief on Appeal (one original and two copies);
2. Reply to Information Requirement;
3. Petition for Extension of Time; and
4. Check for \$905.00 (for \$165.00 appeal brief fee and \$740.00 extension fee).

The Director of the U.S. Patent & Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 18-1579. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

ROBERTS ABOKHAIR & MARDULA, LLC

Kevin L. PONTIUS
Reg. No. 37512
505-922-1400

Date: July 15, 2004

RA&M Ref. No.: 2493-039



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REPLY TO INFORMATION REQUIREMENT
UNDER 37 C.F.R. § 1.105

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P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

In reply to the Rule 105 Information Requirement of July 16, 2003, Applicant provides the following comments.

The requirement concerning the copyright registrations has been previously satisfied to the best of Applicant's abilities. The U.S. Copyright Office would produce only the first 25 and last 25 pages of each of the registrations and Applicants supplemented this with complete print outs of these documents from Applicant's own records. Nothing further can be done.

The requirement concerning an "obstruction" routine cannot possibly be met since no such routine existed in the releases of the STK software during the time frame mentioned by the Examiner. Thus, there is nothing to produce corresponding to this aspect of the Information Requirement. Applicant cannot produce a thing that never existed.

The requirement concerning the names of any products of services that have contained the claimed subject matter is moot

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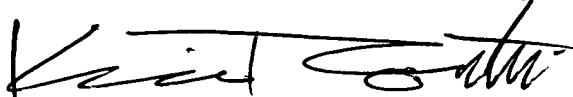
REPLY TO INFORMATION REQUIREMENT
U.S. Application No. 09/332,760

since evidence already of record has addressed this issue on point. Specifically, the Examiner's attention is respectfully directed to the testimony by co-inventor Paul Graziani:

No sale, or offer of sale, of a version of STK implementing the subject matter disclosed and claimed in the '760 application occurred more than one year prior to the June 14, 1999 filing date of the '760 application.

See Declaration of Paul Graziani at page 2, lines 7-10. Mr. Graziani knows wherefrom he speaks, not only because he is a co-inventor of this invention, but he is also the President of the assignee of this technology, Analytical Graphics, Inc. His testimony is substantial evidence in the record of this application and cannot be ignored. Further requests for information on this issue are needless harassment.

Respectfully submitted,
ROBERTS ABOKHAIR & MARDULA, LLC



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